

## **REMARKS / DISCUSSION OF ISSUES**

The present amendment is submitted in response to the Final Office Action mailed January 05, 2010. In view of the amendments above and the remarks to follow, reconsideration and allowance of this application are respectfully requested.

### ***Interview Summary***

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Friday, February 26, 2010. During the telephonic interview, Applicant's Attorney discussed a proposed amendment to Claim 1, previously provided by Fax. The Examiner stated that the proposed amendment overcame the Zehner reference, however a further search is required. The Examiner will issue an interview summary stating the same.

### ***Status of Claims***

Claims 1-20 are pending in the application. Claims 1, 16 and 19 were amended.

### ***I. Claim Rejections under 35 USC 102***

#### **A. Rejection of Claims 1-3 and 8-20**

In the Office Action, Claims 1-3 and 8-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 2003/044765 ("Zehner"). Applicants respectfully traverse the rejections.

#### **Claims 1-3 and 8-20 are Allowable**

Independent Claim 1 has been amended herein to better define Applicant's invention over Zehner. Claim 1 now recites limitations and/or features which are not disclosed by Zehner. Therefore, the cited portions of Zehner do not anticipate claim 1, because the cited portions of Zehner do not teach every element of claim 1. For example, the cited portions of Zehner do not disclose or suggest at least the underlined portions of claim 1:

1. An improved addressing method for updating electrophoretic displays with lower latency for use with interactive applications, the method comprising:
  - a) receiving drawing information for at least one electrophoretic pixel in the electrophoretic display;
  - b) determining at least one drawing-mode waveform of the at least one electrophoretic pixel in the electrophoretic display based on the received drawing information for the at least one electrophoretic pixel;
  - c) applying the at least one drawing-mode waveform a predetermined number of times to complete an image update onto the at least one electrophoretic pixel in the electrophoretic display, wherein the predetermined application of the at least one drawing mode waveform includes transitioning the at least one electrophoretic pixel from a current optical state and proceeding through at least one grey scale transition to arrive at a final optical state.; and  
  
prior to the completion of the image update for the at least one electrophoretic pixel at said step (c) and subsequent to the start of the image update for the at least one electrophoretic pixel at said step (c):
    - d) receiving drawing information for at least one additional electrophoretic pixel in the electrophoretic display,
    - e) determining at least one drawing-mode waveform for the at least one additional electrophoretic pixel in the electrophoretic display based on the received drawing information for the at least one additional electrophoretic pixel in the electrophoretic display;
    - f) applying the at least one drawing-mode waveform a predetermined number of times to complete an image update onto the at least one additional electrophoretic pixel in the electrophoretic display, wherein the predetermined application of the at least one drawing mode waveform includes transitioning the at least one additional electrophoretic pixel from a current optical state and proceeding through at least one grey scale transition to arrive at a final optical state.

In the *Response to Arguments* section of the instant Office Action, the Examiner stated that the previously submitted claims merely recite updating the first and second set of pixels at the same time, which is allegedly taught in Zehner at page 55. Applicants have amended claim 1 to more particularly and precisely recite that the update of the second set of pixels occurs **prior to the completion and subsequent to the start of** the image update for the first set of pixels. Claim 1, as amended, now recites in relevant part, “**prior to the completion of** the image update for the at least one electrophoretic pixel at said step (c) **and subsequent to the start of** the image update for the at least one electrophoretic pixel at said step (c).……

In the Office Action, *Response to Arguments* section of the instant Office Action, the Examiner further states that the previously submitted claims are not yet fully revealing of the intended disclosure as argued in the Remarks. The Examiner states that in fact within the current claim language, grey scale is not mentioned at all. Applicants have amended claim 1 to more particularly and precisely recite that the first and second set of pixels include transitions from a current optical state and **proceed through at least one grey scale transition** to arrive at a final optical state. Claim 1 now recites:

wherein the predetermined application of the at least one drawing mode waveform includes transitioning the at least one additional electrophoretic pixel from a current optical state and proceeding through at least one grey scale transition to arrive at a final optical state.

and

wherein the predetermined application of the at least one drawing mode waveform includes transitioning the at least one additional electrophoretic pixel from a current optical state and proceeding through at least one grey scale transition to arrive at a final optical state.

Hence, claim 1 is allowable. Claims 2-3 and 8-15 depend from independent Claim 1, which Applicants have shown to be allowable. Accordingly, claims 2-3 and 8-15 are also allowable, at least by virtue of their dependency from claim 1.

Independent Claim 16 recites similar subject matter as Independent Claim 1 and therefore contains the limitations of Claim 1. Hence, for at least the same reasons given for Claims 1, Claim 16 is believed to recite statutory subject matter under 35 USC 102(b). Claims 17-20 depend from independent Claim 16, which Applicants have shown to be allowable. Accordingly, claims 17-20 are also allowable, at least by virtue of their dependency from claim 1.

***Claims 4-7 are allowable***

The Office rejects Claims 4-7 as being obvious over Zehner. Applicants respectfully traverse the rejections. Claims 4-7 depend from independent Claim 1, which Applicants have

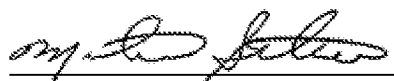
shown to be allowable. Accordingly, claims 4-7 are also allowable, at least by virtue of their dependency from claim 1.

### **Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-20 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-945-6000.

Respectfully submitted,



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